

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ANDY KIM, et al.,

Plaintiffs,

v.

CHRISTINE GIORDANO HANLON, in her capacity as Monmouth County Clerk, et al.,

Defendants.

Civil Action No. 24-cv-1098-ZNQ-TJB

**DECLARATION OF FLAVIO L. KOMUVES**

FLAVIO L. KOMUVES, of full age, declares as follows:

1. I am an attorney at law admitted to practice in all state and federal courts in New Jersey, and am one of the attorneys assigned to handle this matter on behalf of Plaintiffs. This Certification presents several documents into the record of this matter.

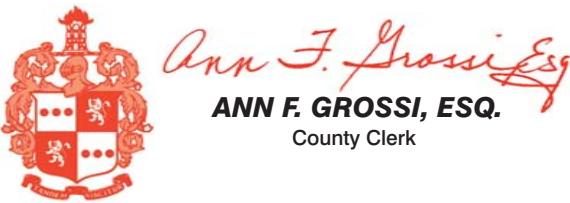
2. Exhibits A-H represent true copies of sample ballots used in recent New Jersey elections. With the exception of Exhibit G and H, each was obtained from the public website of the county clerk of the county where that ballot originated. Exhibits G and H was obtained from the business records of a candidate for an office listed in those exhibits.

3. Exhibits I-L represent true copies of orders and/or opinions issued by judges of the Superior Court of New Jersey. They are cited in the brief as illustrative examples of dates on which election controversies have been historically adjudicated in New Jersey.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Somerset, New Jersey, this 12<sup>th</sup> day of March, 2024.

: /s/ Flavio L. Komunes  
Flavio L. Komunes

# EXHIBIT A



**ATTENTION:** Familiarize yourself with this ballot, it will assist you in voting and save time. **IMPORTANT!** All voters who can, should vote early to avoid congestion and inconvenience to themselves and others near the close of the polls.

# OFFICIAL ANNUAL SCHOOL ELECTION SAMPLE BALLOT

## TOWNSHIP OF EAST HANOVER COUNTY OF MORRIS

**ELECTION DAY — APRIL 25, 2023**  
**POLLS OPEN 4:00 P.M. TO 8:00 P.M.**



## Official Annual School Election Sample Ballot

In cases where the sample ballot is to be sent an addressee who does not receive his mail by delivery to his home or through rural free delivery 'if not delivered within five days return to the Superintendent of Elections' and in all other cases ' if not delivered within two days return to Superintendent of Elections.' Do not Forward. "Return Postage Guaranteed."

**SUPERINTENDENT OF ELECTIONS**  
PO BOX 900  
Morristown, NJ 07963-0900

RETURN SERVICE REQUESTED

VOTE HERE

010-00-000



POSTMASTER:  
PLEASE DELIVER BY FRIDAY APRIL 21, 2023

NONPROFIT  
U.S. POSTAGE PAID  
MORRIS COUNTY CLERK

ADDITIONAL VOTER INFORMATION WILL BE AVAILABLE IN ALL POLLING LOCATIONS

THIS BALLOT CANNOT BE VOTED, IT IS A SAMPLE COPY OF THE OFFICIAL SPECIAL SCHOOL ELECTION BALLOT USED ON ELECTION DAY.

### INSTRUCTIONS FOR VOTING

1. Please read through the instructions completely. After inserting the Ballot Card given to you by the poll worker, insert it into the card slot on the device to the right, cut corner of the card in the upper right.
2. Touch candidate names and Questions YES or NO to make your selections. Your selection will turn Green. To change your selection, touch the Green Box again and it will de-select that selection. You may make a new selection.
3. To write-in a candidate, select the Write-In box, in the last column, across from the office you wish to write-in. A keyboard will appear. Type in the first and last name of the person of your choice. Touch "Accept". Your write-in choice will appear on the ballot.
4. When you have completed voting and verified your selections, touch the Green "Print Ballot" button on the lower right side of the screen. A confirmation message will first be displayed to "Return to Ballot" or "Print".
  - To make any changes before printing the voter paper audit trail, touch "Return to Ballot".
  - To proceed with printing the voter paper Ballot, touch "Print". This will print the candidates you have selected on the Ballot card and display it in the printer window for your review.
  - Review the Ballot card to ensure it represents your selections accurately. Then touch the "Cast" button only if what is displayed on the Ballot card accurately reflects your choices.
  - If changes need to be made after printing the Ballot card, touch the "Quit" button to cancel the voting session. A poll worker will be signaled to assist you. You must return your spoiled Ballot card folded to the poll worker in order to receive a new Ballot activation card to start the voting process over.

OFFICE TITLE	COLUMN 1	PERSONAL CHOICE	PUBLIC QUESTION TO BE VOTED UPON	
MEMBER OF THE BOARD OF EDUCATION FOR 3 YEARS (VOTE FOR 3)	Catherine PFUND-OLSEN	WRITE-IN	EAST HANOVER SCHOOL DISTRICT QUESTION NO. 1	
	Philomeno MATTIA	WRITE-IN	RESOLVED, That there should be raised for the General Fund \$22,781,884.00 for the ensuing School Year (2023-2024).	
	Joseph TROISE	WRITE-IN	YES	NO
	Michael FOTI			

**Print Ballot**

# EXHIBIT B

**Official 2022 Municipal Election Sample Ballot**  
**City of Long Branch**



Mary DeSarno  
 Superintendent of Elections  
 300 Halls Mill Road  
 Freehold, New Jersey 07728

RETURN SERVICE REQUESTED



Non-Profit Org.  
 U.S. Postage  
 PAID  
 New Brunswick, NJ  
 Permit No. 1

¤ POLLING LOCATION ¤



Polls open - Urnas abiertas 6:00 am - 8:00 pm

**Attention Voters!**

Familiarize yourself with this ballot and instructions. It will assist you in voting, and save time on election day.

YOU MAY BRING THIS SAMPLE BALLOT WITH YOU INTO THE VOTING BOOTH.

**IMPORTANT:** All voters who can should vote early in the day and thus avoid the possibility of congestion and inconvenience to themselves and others near the close of the polls.

Online versions of the Sample Ballot are available on the County Clerk's website:

[www.MonmouthCountyVotes.com/elections/sample-ballots/](http://www.MonmouthCountyVotes.com/elections/sample-ballots/) and on the free Monmouth County Votes app available on your Apple or Android device.

**Early voting** will be available at the Long Branch Senior Center, 85 2nd Avenue, at the following times:

Friday, May 6th 10 am- 8:00 pm  
 Saturday, May 7th 10 am- 8:00 pm  
 Sunday, May 8th 10 am- 6:00 pm

**Polls Open 6:00 am to 8:00 pm  
 on Tuesday, May 10, 2022**

*Heather Capone*

Heather Capone, RMC  
 City Clerk  
 Secretaria de la Ciudad

**¡Votantes Atención!**

Familiarícese usted con esta papeleta y sus instrucciones. Esto le ayudará a votar y ahorrará tiempo el día de la elección.

ESTA MUESTRA DE LA PAPELETA SE PUEDE TRAER EN LA CASETA DE VOTAR.

**IMPORTANTE:** Todos los votantes que pueden, deben votar temprano, y así evitarse la posibilidad de congestionamiento e inconveniencias para ellos y otros a la hora de cerrar las urnas electorales.

Esta papeleta bilingüe está preparada conforme a la enmienda del Acto Federal de Derechos para Votar de 1965.

Esta papeleta está disponible al sitio web de la Secretaría del condado:  
[www.MonmouthCountyVotes.com/elections/sample-ballots/](http://www.MonmouthCountyVotes.com/elections/sample-ballots/) y al app gratis Monmouth County Votes disponible por su celular Apple o Android.

**Votación anticipada** será disponible al Centro para Personas Mayores de Long Branch, 85 Avenida Segunda, en las horas siguientes:

Viernes, el 6 de mayo 10 am- 8:00 pm  
 Sábado, el 7 de mayo 10 am- 8:00 pm  
 Domingo, el 8 de mayo 10 am- 6:00 pm

**Urnas Abiertas 6:00 am to 8:00 pm  
 el martes, el 10 de mayo de 2022**

# Official Municipal Election

Tuesday, May 10, 2022, Monmouth County, New Jersey  
 Elección Municipal Oficial, martes, el 10 de mayo de 2022

City of Long Branch

Office Title Cargo	Nomination by Petition Nominación por Petición	Personal Choice Selección Personal
For Mayor Vote for One <b>Para Alcalde</b> Vote por Uno	John <b>PALLONE</b> <i>Long Branch First</i>	Write In Escriba
For Councilmembers At-Large Vote for Five  <b>Para Miembros en General del Consejo</b> Vote por no más de Cinco	Mary Jane <b>CELLI</b>  Lorenzo "Bill" <b>DANGER</b>  <i>Long Branch First</i> Rose M. <b>WIDDIS</b>  Mario R. <b>VIEIRA</b>  Anita <b>VOOGT</b>	Write In Escriba  Write In Escriba  Write In Escriba  Write In Escriba

**Cast Your Ballot**  
**Depósita su Voto**

**Instructions for Voting**

1. Insert the ballot card, notch to the top right.
  2. Make selections by touching the candidate's name.
  3. To vote for someone not on the ballot, touch "Write-In" in the personal choice column and type in your candidate's name. Touch "ACCEPT."
  4. Review all selections on the summary screen. To make changes, touch the contest and make a selection.
  5. Touch "PRINT BALLOT" to review printed card in the window to the right, then touch "CAST BALLOT." The card is then deposited into a secure card container for tabulation.
- Before entering the machine, if you have any questions about voting, ask the District Board Worker.

**Instrucciones para Votar**

1. Inserte la papeleta electoral con la muesca en la esquina superior derecha.
  2. Haga sus selecciones tocando la pantalla.
  3. Para agregar algún candidato por escrito, presione el cuadro en la columna de Selección Personal y escriba el nombre del candidato. Presione "ACEPTAR".
  4. Revise todas las selecciones en la pantalla de resumen. Para hacer cambios, toque la pantalla sobre el Cargo y haga una nueva selección.
  5. Presione "IMPRIMIR PAPELETA" para revisar la Papeleta electoral en la ventana a la derecha y luego presione "DEPOSITAR SU VOTO". Luego, la máquina deposita la papeleta en la urna segura para la tabulación.
- Antes de ingresar a la máquina, si tiene alguna pregunta sobre la votación, pregunte al secretario de votación.

# EXHIBIT C

**City of Hoboken – County of Hudson****General Election Sample Ballot****November 7, 2023**

The polls will be open from 6:00 AM to 8:00 PM

**THIS IS A SAMPLE OF THE OFFICIAL BALLOT THAT IS TO BE VOTED  
UPON AT THE GENERAL ELECTION ON NOVEMBER 7, 2023***E. Junior Maldonado***E. JUNIOR MALDONADO**

Clerk of Hudson County/Secretario del Condado de Hudson

October 31, 2023

Date / Attest

© 2023 ELECTIONS

<b>OFFICE TITLE TÍTULO DE CARGO</b>	32nd Legislative District 32º Distrito Legislativo COLUMN A	32nd Legislative District 32º Distrito Legislativo COLUMN B	32nd Legislative District 32º Distrito Legislativo COLUMN C	<b>Personal Choice Selección Personal</b>
<b>A</b> Democratic Demócrata	<b>B</b> Republican Republicano	<b>C</b> Nomination by Petition Nominación por Petición		
For State Senate (VOTE FOR ONE) Para Senado Estatal (VOTE POR UNO)	1A RAJ <b>MUKHERJI</b>	1B ILYAS <b>MOHAMMED</b>		1 WRITE-IN POR ESCRITO
For Members of the General Assembly (VOTE FOR TWO) Para Miembros de la Asamblea General (VOTE POR DOS)	2A JOHN <b>ALLEN</b>	2B ROBERT <b>RAMOS</b>		2 WRITE-IN POR ESCRITO
	3A JESSICA <b>RAMIREZ</b>	NO NOMINATION MADE NO HAY NOMINACIÓN		3 WRITE-IN POR ESCRITO
For County Executive (VOTE FOR ONE) Para Ejecutivo del Condado (VOTE POR UNO)	4A CRAIG <b>GUY</b>	NO NOMINATION MADE NO HAY NOMINACIÓN		4 WRITE-IN POR ESCRITO
For County Commissioner (VOTE FOR ONE) Para Comisionado del Condado (VOTE POR UNO)	5A ANTHONY L. <b>ROMANO</b>	5B JOSEPH E. <b>BRANCO</b>		5 WRITE-IN POR ESCRITO

<b>OFFICE TITLE TÍTULO DE CARGO</b>	<b>D</b> Board of Education Junta de Educación	<b>Personal Choice Selección Personal</b>
	Demanding Integrity Transparency Para Miembros de la Junta de Educación POR UN TÉRMINO DE TRES AÑOS (VOTE POR TRES)	1D PATRICIA <b>WAITERS</b>
		2D SHARYN <b>ANGLEY</b>
Moms Leading Progress		3D CHETALI <b>KHANNA</b>
		4D SHEILLAH <b>DALLARA</b>

**CITY OF HOBOKEN NON-PARTISAN MUNICIPAL ELECTION - Ward 1  
CIUDAD DE HOBOKEN ELECCIÓN MUNICIPAL NO-PARTIDISTA - Barrio 1**

<b>OFFICE TITLE TÍTULO DE CARGO</b>	COLUMN E COLUMN A	<b>Personal Choice Selección Personal</b>
	<b>E</b> City of Hoboken Ciudad de Hoboken	
For Ward Councilperson (VOTE FOR ONE) (1) Para Concejal de Distrito Electoral (VOTE POR UNO) (1)	Making Hoboken Better, Together PUTTING PEOPLE FIRST Leadership That Listens, Action That Counts. 1E PAUL <b>PRESINZANO</b>	1 WRITE-IN POR ESCRITO
	3E RAFI <b>CORDOVA</b>	
	5E LEO <b>PELLEGRINI</b>	

**Ciudad de Hoboken – Condado de Hudson****Boleta de Muestra de la Elección General****7 de noviembre del 2023**

Los centros de votación estarán abiertos desde las 6:00 AM hasta las 8:00 PM

**ESTA ES UNA MUESTRA DE LA BOLETA OFICIAL QUE SE USARÁ EN LA  
VOTACIÓN DE LA ELECCIÓN GENERAL, EL 7 DE NOVIEMBRE DEL 2023****INSTRUCTIONS FOR VOTING**

- The poll worker will insert the blank ballot card to activate the machine.
- In bilingual districts, select your preferred language then press "Start Voting."
- Touch the box containing the candidate of your choice; the box will turn GREEN signifying your selection.
- To change your selection, touch the box again and the box will turn white and you may make a new selection.
- To write-in a candidate, select the "Write-In" box, in the Personal Choice column, across from the office you wish to write-in. A keyboard will appear. Type in the first and last name of the person you wish to write-in. Touch "ACCEPT." Your write-in choice will appear on the ballot.
- When you have completed your selections, touch the "NEXT: PRINT BALLOT CARD" button to view your selections on the window panel to the right, to ensure it represents your selections accurately.
- To make changes before printing the Ballot Card, touch "RETURN TO BALLOT."
- To record your vote touch the "CAST VOTE" button only if what is displayed accurately reflects your choices.
- To change your vote, touch "QUIT" and the poll worker will be signaled to assist you.

**INSTRUCCIONES PARA VOTAR**

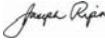
- El trabajador electoral introducirá la tarjeta de votación en blanco para activar la máquina.
- En los distritos bilingües, seleccione su idioma preferido y luego toca "Comenzar a Votar."
- Toque la caja que contiene el candidato de su preferencia; la caja se vuelve VERDE lo que significa su selección.
- Para cambiar su selección, toque la caja otra vez y la caja se convierte blanco y puede hacer una nueva selección.
- Para escribir el nombre de un candidato, seleccione la caja de "Escriba aquí", en la última columna Selección Personal que indica el cargo para el candidato que quiere escribir. Aparecerá un teclado. Escriba el primer nombre y apellido de su candidato y toque "Aceptar." Su opción de voto escrito aparecerá en la boleta electoral.
- Cuando haya completado sus selecciones, toque el botón "Siguiente: Imprimir tarjeta" para ver sus selecciones en el panel de la ventana a la derecha, para asegurar que representa sus selecciones con precisión.
- Para hacer cambios antes de imprimir la tarjeta de votación toca "Volver a la Boleta."
- Para registrar su voto toque el botón de "Empezar Voto" solo si lo que se muestra con precisión refleja sus selecciones.
- Para cambiar su voto, toca "ABANDONAR" y el trabajador electoral sera alertado para asistirle.

# EXHIBIT D

This Official General Election Sample Ballot is an exact copy of the Official General Ballot to be used on General Election Day. This ballot cannot be voted. Este ejemplo es una copia idéntica de la Papeleta Oficial de las Elecciones Generales que será utilizada el día de las elecciones. Usted no podrá votar en esta papeleta.

## OFFICIAL ELECTION SAMPLE BALLOT Muestra Oficial de la Papeleta Tuesday, November 7, 2023 El Martes, 7 de Noviembre del 2023

Polls Open 6 A.M.-8 P.M.  
Los Colegios Electorales estarán abiertos de 6 A.M. hasta las 8 P.M.

Cherry Hill Township County of Camden	 <p><b>JOSEPH RIPA, County Clerk Secretario del Condado</b></p>																		
<b>OFFICIAL GENERAL ELECTION BALLOT</b> <b>Papeleta Oficial Elecciones Generales</b>																			
November 7, 2023 • 6th Legislative District 7 de Noviembre del 2023 • 6º Distrito Legislativo																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">INSTRUCTIONS TO VOTER Use ONLY black or blue ink pen to mark your ballot. This ballot will be read by a machine. For your vote to count, fill in oval completely.</td> <td style="width: 10%;">INSTRUCCIONES PARA LOS VOTANTES Único solo de tinta negra o azul para marcar su papeleta. Esta papeleta será leída por la máquina. Para que su voto cuente tiene completamente el óvalo.</td> <td style="width: 10%;">Correcto <input checked="" type="radio"/> Incorrecto <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/></td> <td style="width: 10%;">Correcto <input checked="" type="radio"/> Incorrecto <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/></td> </tr> <tr> <td colspan="4">           1. To vote for candidates on this ballot, completely fill in the one oval to the right of the candidate for each selection. Do not vote for more candidates than are to be elected in any office.            2. To vote for any person whose name is not printed on the ballot, write the name of such person opposite the proper title of office in the column designated Write-In and fill in the one oval on right of this area. Do NOT use pre-printed stickers. IF NOT DONE properly, the ballot will be rejected.            3. Do not mark this ballot in any other manner than above provided for and make no erasures. If this ballot is torn, soiled, defaced or incorrectly marked, return it and obtain another.         </td> </tr> <tr> <td colspan="4" style="text-align: center; font-size: small;">           To protect your vote:            1. Please do not mark for ANYBODY ELSE.            2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.         </td> </tr> <tr> <td colspan="4" style="text-align: center; font-size: small;">           Para proteger su voto:            1. No marque para NINGUNA PERSONA OTRO.            2. Para marcar por otra persona, escriba su nombre en el espacio designado para "Write-In" y marque el óvalo que se encuentra al lado de su nombre.         </td> </tr> </table>				INSTRUCTIONS TO VOTER Use ONLY black or blue ink pen to mark your ballot. This ballot will be read by a machine. For your vote to count, fill in oval completely.	INSTRUCCIONES PARA LOS VOTANTES Único solo de tinta negra o azul para marcar su papeleta. Esta papeleta será leída por la máquina. Para que su voto cuente tiene completamente el óvalo.	Correcto <input checked="" type="radio"/> Incorrecto <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	Correcto <input checked="" type="radio"/> Incorrecto <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	1. To vote for candidates on this ballot, completely fill in the one oval to the right of the candidate for each selection. Do not vote for more candidates than are to be elected in any office. 2. To vote for any person whose name is not printed on the ballot, write the name of such person opposite the proper title of office in the column designated Write-In and fill in the one oval on right of this area. Do NOT use pre-printed stickers. IF NOT DONE properly, the ballot will be rejected. 3. Do not mark this ballot in any other manner than above provided for and make no erasures. If this ballot is torn, soiled, defaced or incorrectly marked, return it and obtain another.				To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.				Para proteger su voto: 1. No marque para NINGUNA PERSONA OTRO. 2. Para marcar por otra persona, escriba su nombre en el espacio designado para "Write-In" y marque el óvalo que se encuentra al lado de su nombre.			
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OFFICE TITLE TÍTULO DE OFICINA	REPUBLICAN REPUBLICANO COLUMN/COLUMNA 1	DEMOCRAT DEMOCRATA COLUMN/COLUMNA 2	NOMINATION BY PETITION COLUMN/COLUMNA 3																
Member of State Senate (Vote For One) Miembro del Senado Estatal (Vota por Uno)	Mark DOOGAN <input type="radio"/>	James BEACH <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>																
	To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.																		
	Para proteger su voto: 1. No marque para NINGUNA PERSONA OTRO. 2. Para marcar por otra persona, escriba su nombre en el espacio designado para "Write-In" y marque el óvalo que se encuentra al lado de su nombre.																		
	Members of the General Assembly (Vote For Two) Miembros de la Asamblea General (Vota por Dos)	Danielle M. BARRY <input type="radio"/>	Louis D. GREENWALD <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>															
		To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.																	
		Para proteger su voto: 1. No marque para NINGUNA PERSONA OTRO. 2. Para marcar por otra persona, escriba su nombre en el espacio designado para "Write-In" y marque el óvalo que se encuentra al lado de su nombre.																	
		Members of the Board of County Commissioners (Vote For Two) Miembros de la Junta de Comisionados del Condado (Vota por Dos)	Brian MCROY <input type="radio"/>	Pamela R. LAMPITT <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>														
			To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.																
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			Mayor (Vote For One) Alcalde (Vota por Uno)	Jason FANNING <input type="radio"/>	Louis CAPPELLI, JR. <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>													
To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.																			
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Members of Council (Vote For Three) Miembros del Concejo Municipal (Vota por Tres)				Norman C. REBEL, JR. <input type="radio"/>	Jonathan L. YOUNG, SR. <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>													
	To protect your vote: 1. Please do not mark for ANYBODY ELSE. 2. To mark for someone else, write their name in the column designated Write-In and fill in the oval next to their name.																		
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	David LODGE <input type="radio"/>  Judi GIACOBONI RUSSO <input type="radio"/>  Stephen T. HEATH, JR. <input type="radio"/>			Michele GOLKOW <input type="radio"/>	Brian BAUERLE <input type="radio"/>	WRITE-IN POR ESCRITO <input type="radio"/>													
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		<b>ED/EV Cherry Hill</b>																	

### New Voting Machines in Camden County

Integrity and security are essential to free and fair elections. With our aging election equipment and voting machines at the end of life, the decision was made to purchase new equipment. The new election systems put into service by Camden County will not only ensure our elections are completely secure, but also easy to use from the perspective of our voters.

Here is what you can expect the next time you cast your vote at a polling place in Camden County.

- **Sign In:** You will sign in on an electronic tablet device, speeding up the process and assuring you receive the ballot for your district.
- **Your Ballot:** Upon signing in, the board workers will give you your ballot. Ballots are paper and are similar to those who vote using a Vote by Mail ballot. You will be directed to a privacy screen where you will make your selections using a pen to vote for the candidates and questions by coloring in the corresponding oval.
- **Voting Machines:** After you have voted your ballot, place it in a provided privacy sleeve to keep all voting selections secret. A board worker will then direct you to the new tabulating device. You will then feed your ballot into the scanner where your votes will be recorded, and your ballot is securely stored within the device. This ensures that there is a paper record of every single vote that has been cast.
- **Ballot Marking Device:** Every polling location throughout Camden County will be equipped with an ADA compliant ballot marking device. Voters that require such accommodations will be able to utilize the Express Vote machine which will assist the voters in making selections on their ballot. Ballots printed from the ballot marking device are read on the tabulators the same as any other ballot. While some see this as a regression from fully electronic machines, it is widely believed by election security experts that a hand-marked paper ballot are the most secure method of voting since voter intent is clear and each ballot can easily be recounted if needed.

We look forward to all Camden County voters having the opportunity to cast their vote for our upcoming elections!



### Nuevas Máquinas de Votación en el Condado de Camden

La integridad y la seguridad son esenciales para elecciones justas y democráticas. Con nuestro equipo electoral y nuestras máquinas de votación obsoletas, ya era necesario que se actualizara. Por eso se tomó la decisión de comprar equipo nuevo. Los nuevos sistemas electorales puestos en servicio por el Condado de Camden no solo garantizarán que nuestras elecciones sean completamente seguras, sino también fáciles de usar desde la perspectiva de nuestros votantes.

Esto es lo que puede esperar la próxima vez que emita su voto en un lugar de votación en el Condado de Camden.

- **Firmar:** Iniciará la sesión en una tableta electrónica, acelerando el proceso y asegurándose de recibir la papeleta para su distrito.
- **Su Papeleta:** Al registrarse, los trabajadores de la junta le darán su papeleta. Las papeletas son de papel y son similares a las que se usan votando en una papeleta de Voto por Correo. Se le dirigirá a un cubículo privado, donde hará sus selecciones usando un bolígrafo para votar por los candidatos y las preguntas coloreando el óvalo correspondiente.
- **Máquinas de votación:** Después de haber votado en su papeleta, colóquela en una carpeta privada provista para mantener en secreto todas las selecciones de votación. Luego, un trabajador de la junta lo dirigirá al nuevo dispositivo de tabulación. Luego, ingresará su papeleta en el escáner donde se registrarán sus votos, y su papeleta se almacenará de forma segura dentro del dispositivo. Esto asegura que haya un registro en papel de cada voto que se haya emitido.
- **Dispositivo de marcado de Papeletas:** Cada lugar de votación en todo el Condado de Camden estará equipado con un dispositivo de marcado de papeletas que cumpla con la ADA. Los votantes que requieran dichas adaptaciones podrán utilizar la máquina Expresso de Votar, que los ayudará a realizar las selecciones en su papeleta. Las papeletas impresas desde el dispositivo de marcado de papeletas se leerán en los tabuladores de la misma manera que cualquier otra papeleta.

Mientras algunos ven esto como una regresión de las máquinas totalmente electrónicas, los expertos en seguridad electoral creen ampliamente que una papeleta de papel marcada a mano es el método más seguro para votar, ya que la intención del votante es clara y cada papeleta se puede volver a contar fácilmente si es necesario.

¡Esperamos que todos los votantes del condado de Camden tengan la oportunidad de emitir su voto para nuestras próximas elecciones!

### ANNUAL SCHOOL BOARD ELECTION BALLOT

Papeleta de las Elecciones Anuales de la Junta de Educación

Cherry Hill School District  
Distrito Escolar de Cherry Hill

OFFICE TITLE TÍTULO DE OFICINA		WRITE-IN POR ESCRITO
<b>1</b>	Find Common Ground Kimberly GALLAGHER <input type="radio"/>	<input type="radio"/>
<b>2</b>	Empower All Families Jennifer SHARMAN <input type="radio"/>	<input type="radio"/>
<b>3</b>	Nicholas J. GAUDIO, JR. <input type="radio"/>	<input type="radio"/>
<b>4</b>	Truth, Knowledge, Excellence John M. (Jack) BRANGAN <input type="radio"/>	<input type="radio"/>
<b>5</b>	Innovation and Improvement Renee CHERFANE <input type="radio"/>	<input type="radio"/>
<b>6</b>	Vision Leadership Progress Miriam STERN <input type="radio"/>	<input type="radio"/>
<b>7</b>	Ineda "Corrien" ELMORE-STRATTON <input type="radio"/>	<input type="radio"/>

### FIRE DISTRICT ANNUAL ELECTION BALLOT

Papeleta de la Elección Anual del Distrito del Fuego

Cherry Hill Fire District No. 13  
Municipio de Cherry Hill, Bomberos del Distrito N°13

OFFICE TITLE TÍTULO DE OFICINA		WRITE-IN POR ESCRITO
<b>1</b>	John J. MULHOLLAND, JR. <input type="radio"/>	<input type="radio"/>
NO NOMINATION MADE		<input type="radio"/>



# EXHIBIT E

This Official General Election Sample Ballot is an exact copy of the Official General Ballot to be used on General Election Day. This ballot cannot be voted. Este ejemplo es una copia idéntica de la Papeleta Oficial de las Elecciones Generales que será utilizada el día de las elecciones. Usted no podrá votar en esta papeleta.

## OFFICIAL ELECTION SAMPLE BALLOT Muestra Oficial de la Papeleta Tuesday, November 7, 2023 El Martes, 7 de Noviembre del 2023

Polls Open 6 A.M.-8 P.M.  
Los Colegios Electorales estarán abiertos de 6 A.M. hasta las 8 P.M.

<p>Audubon Borough County of Camden</p> <p><i>Joseph Ripa</i> JOSEPH RIPA, County Clerk Secretario del Condado</p> <p><b>OFFICIAL GENERAL ELECTION BALLOT</b></p> <p><b>Papeleta Oficial Elecciones Generales</b></p> <p>November 7, 2023 • 5th Legislative District 7 de Noviembre del 2023 • 5th Legislative Distrito</p>	<p><b>INSTRUCTIONS TO VOTER</b> Use ONLY black or blue ink pen to mark your ballot. This ballot will be read by a machine. For your vote to count, fill in oval completely.</p> <p>Correct <input checked="" type="radio"/> Incorrect <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/></p> <p>1. To vote for candidates on this ballot, completely fill in the one oval to the right of the candidate for each selection. Do not vote for more candidates than are elected to be elected in any office. 2. To vote for any person whose name is not printed on the ballot, write the name of such person opposite the proper title of office in the column designated Write-In and fill in the one oval on right of this area. Do NOT use pre-printed stickers. IF NOT DONE properly, your ballot will be rejected. 3. Do not mark this ballot in any other manner than above provided for and make no erasures. If this ballot is torn, soiled, defaced or incorrectly marked, return it and obtain another.</p> <p><b>INSTRUCCIONES PARA LOS VOTANTES</b> Use solo tinta negra o azul para marcar su papeleta. Esta papeleta será leída por la máquina. Para que su voto cuente tiene completamente el óvalo.</p> <p>Correcto <input checked="" type="radio"/> Incorrecto <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/></p> <p>1. Para votar por los candidatos en este papeleta, llene completamente el óvalo de la derecha del candidato para cada selección. No votar por más candidatos de los que se eligen en cualquier oficina. 2. Para votar por cualquier persona cuyo nombre no aparece en la lista, escriba el nombre de esa persona opuesta a la descripción apropiada, en la columna designada Write-In y llene el óvalo en la parte derecha de este área. NO USE pegatinas impresas. SI NO SE HACE PROPIAMENTE, SU PAPELERA SERÁ RECHAZADA. 3. No marcar este papeleta de ninguna otra manera que sea proporcionada y hacer borrar. Si este papeleta es rasgado, manchado, dañado o marcado incorrectamente, devuelva el y obtenga otro.</p>	<p><b>ANNUAL SCHOOL BOARD ELECTION BALLOT</b> Papeleta de las Elecciones Anuales de la Junta de Educación</p> <p style="text-align: center;">Audubon School District Distrito Escolar de Audubon</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">OFFICE TITLE TÍTULO DE OFICINA</th> <th style="width: 40%;">REPUBLICAN REPUBLICANO COLUMN/COLUMNAS</th> <th style="width: 30%;">DEMOCRAT DEMOCRATA COLUMN/COLUMNAS</th> <th style="width: 30%;">NOMINATION BY PETITION COLUMN/COLUMNAS</th> <th style="width: 30%;">WRITE-IN POR ESCRITO</th> </tr> </thead> <tbody> <tr> <td>Members of Local Board of Education (Vote For Three)</td> <td>Clyde E. COOK 0</td> <td>Nilda CRUZ-PEREZ 0</td> <td>Rights Transparency Peace Mohammad KABIR 0</td> <td>Advocating for Schools Mark GATTI 0</td> </tr> <tr> <td>Members of the General Assembly (Vote For Two)</td> <td>Joe MILLER 0</td> <td>William F. MOEN, JR. 0</td> <td></td> <td>"Putting Students First" William "Bill" WILSON 0</td> </tr> <tr> <td>Miembros de la Asamblea General (Vota por Dos)</td> <td>Yalinda PAGAN 0</td> <td>William W. SPEARMAN 0</td> <td></td> <td>"The Parent's Choice" Joe MILLER 0</td> </tr> <tr> <td>Members of the Board of County Commissioners (Vote For Two)</td> <td>JASON FANNING 0</td> <td>Louis CAPPELLI, JR. 0</td> <td></td> <td>Educating our Future Alison M. LIPSKY 0</td> </tr> <tr> <td>Miembros de la Junta de Comisionados del Condado (Vota por Dos)</td> <td>Norman C. REBEL, JR. 0</td> <td>Jonathan L. YOUNG, SR. 0</td> <td></td> <td></td> </tr> </tbody> </table>	OFFICE TITLE TÍTULO DE OFICINA	REPUBLICAN REPUBLICANO COLUMN/COLUMNAS	DEMOCRAT DEMOCRATA COLUMN/COLUMNAS	NOMINATION BY PETITION COLUMN/COLUMNAS	WRITE-IN POR ESCRITO	Members of Local Board of Education (Vote For Three)	Clyde E. COOK 0	Nilda CRUZ-PEREZ 0	Rights Transparency Peace Mohammad KABIR 0	Advocating for Schools Mark GATTI 0	Members of the General Assembly (Vote For Two)	Joe MILLER 0	William F. MOEN, JR. 0		"Putting Students First" William "Bill" WILSON 0	Miembros de la Asamblea General (Vota por Dos)	Yalinda PAGAN 0	William W. SPEARMAN 0		"The Parent's Choice" Joe MILLER 0	Members of the Board of County Commissioners (Vote For Two)	JASON FANNING 0	Louis CAPPELLI, JR. 0		Educating our Future Alison M. LIPSKY 0	Miembros de la Junta de Comisionados del Condado (Vota por Dos)	Norman C. REBEL, JR. 0	Jonathan L. YOUNG, SR. 0		
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### New Voting Machines in Camden County

Integrity and security are essential to free and fair elections. With our aging election equipment and voting machines at the end of life, the decision was made to purchase new equipment. The new election systems put into service by Camden County will not only ensure our elections are completely secure, but also easy to use from the perspective of our voters.

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¡Esperamos que todos los votantes del condado de Camden tengan la oportunidad de emitir su voto para nuestras próximas elecciones!



NON-PROFIT ORG. U.S. POSTAGE <b>PAID</b> BELL MAWR NJ Permit No. 1042
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**November 7, 2023**  
**General Election Sample Ballot**  
*Papeleta de muestra para las elecciones generales*  
**YOUR POLLING PLACE(S)/COLEGIO ELECTORAL**

**Return Service Requested**

**AUDUBON BOROUGH**

**Accessible Polling Location/Oficina Accesible Para Despachar**

**6 am - 8 pm**

**YOUR POLLING PLACE(S)/COLEGIO ELECTORAL**

If el persona que vive en este dirección, por favor visite  
[www.camdencounty.com/updatemailer](http://www.camdencounty.com/updatemailer)  
 Papeleta de muestra, o vote en este dirección, por favor visite  
 Si la persona que vive en esta dirección, por favor visite  
 www.camdencounty.com/updatemailer

y, por favor visite la dirección  
 de votantes predilectos para seguir la elección  
 Por favor update su nombre de votante visitas

**www.camdencounty.com/updatemailer**  
**does not live at this address, please visit**  
**If the person on the front of this Sample Ballot**  
**to Ensure Efficiency and Prevent Waste.**  
**Please Help Keep Our Voter Records Accurate**

**Early Voting**  
 New in New Jersey – Registered voters can now vote in-person prior to Election Day.

Voters can visit any of the seven locations located throughout Camden County and vote their local ballot on a voting machine.

Like voting on Election Day, to prevent voting more than once, if you were issued a Vote By Mail Ballot, you can vote early only by provisional ballot.

**Hours for Early Voting:**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
October 22	23	24	25	26	27	28
10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm
29	30	31	November 1	2	3	4
10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm
5	6	7	8	9	10	11
10am to 8pm	Election Day*					

\*Early Voting Locations are not open on Election Day – See front for your Election Day Polling Place.

### Early Voting Locations

#### Lugares de Votación Temprana

##### GLOUCESTER TOWNSHIP

100 University Court, Blackwood 08012

##### Rummedge

Harry Williams Community Center  
2 Broadway, Rummedge 08078

##### Camden City

Rowan University  
129 N. Broadaway, Camden 08102  
(Broadway Entrance)

##### Voorhees

Lion's Lake Community Center  
101 Dutchtown Rd, Voorhees 08043

##### Collingswood

Collingswood Senior Center  
30 W. Collings Ave., Collingswood 08108

##### Merchantville

Merchantville Community Center  
212 Somerset Street, Merchantville 08109

### Votación Temprana

Esto es lo nuevo en Nueva Jersey – Los votantes registrados ahora pueden votar en persona antes del día de las elecciones.

Los votantes pueden visitar cualquiera de los siete lugares ubicados a través el Condado de Camden durante el Periodo de Votación Temprana y votar en una máquina de votación igual que si estuviera votando el día de las elecciones.

Para evitar votar más de una vez, si usted recibió una papeleta de votar por correo, puede votar temprano solo en una papeleta provisional.

\*Los lugares de votación temprana no están abiertos el día de Acción de Gracias o el día de Thanksgiving, pero si el día de Acción de Gracias o el día de Thanksgiving se encuentra entre el 24 y el 28 de octubre. Para una solicitud más información sobre votar por correo, llame al (856) 225-7219 o visite [www.camdencounty.com/vbm](http://www.camdencounty.com/vbm).

### Horarios para Votación Temprana:

Domingo	Lunes	Martes	Miercoles	Jueves	Viernes	Sábado
October 22	23	24	25	26	27	28
10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm
29	30	31	November 1	2	3	4
10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm	10am to 8pm
5	6	7	8	9	10	11
10am to 8pm	Election Day*					

### Voting by Mail Deadline Approaching Soon

If you are not able to vote at the Polls or at an Early Voting Site, there is still time to receive a Vote by Mail Ballot. The application must be received by the County Clerk's Office by October 31st. For an application and more information about Vote by Mail, please call (856) 225-7219 or visit [www.camdencounty.com/vbm](http://www.camdencounty.com/vbm).

### Bring this Sample Ballot to the Polls for Faster Check-In

Electronic Pollbooks are now being used for both Early and Election Day Voting. These Electronic Pollbooks have the option to read the barcode on the sample ballot to quickly find your name in the voter registry.

### Ya Pronto Se Acerca La Fecha Límite Para Votar Por Correo

Si no puede votar en las urnas o en un sitio de votación temporal, todavía hay tiempo para recibir una papeleta de voto por correo. La solicitud debe ser recibida por la Oficina del Secretario del Condado antes del 31 de octubre. Para una solicitud más información sobre voto por correo, llame al (856) 225-7219 o visite [www.camdencounty.com/vbm](http://www.camdencounty.com/vbm).

### Lleve esta Papeleta de Muestra a las Urnas para una Registración Más Rápida

Los libros de votación electrónicos ahora se están utilizando tanto para la votación temprana como para la votación de las elecciones. Estos libros de votación electrónicos tienen la opción de leer el código de barras en esta papeleta de muestra para encontrar rápidamente su nombre en el registro de votantes.

# EXHIBIT F

*Celeste M. Riley*  
**CELESTE M. RILEY**  
 Cumberland County Clerk  
 Secretaria del Condado  


**OFFICIAL GENERAL ELECTION SAMPLE BALLOT**  
**BOLETA DE MUESTRA OFICIAL DE LAS ELECCIONES GENERALES**  
**November 7, 2023**  
**City of Vineland**  
**1st Legislative District**



## SAMPLE BALLOT

<b>OFFICE TITLE</b> TITULO OFICIAL	<b>A</b> <b>Republican</b> Republicano	<b>B</b> <b>Democratic</b> Demócrata	<b>PERSONAL CHOICE</b> SELECCIÓN PERSONAL
State Senator Vote for One Senador Estatal Vote por Uno	Michael L. <b>TESTA, Jr.</b>  <input type="radio"/> 1A	Charles R. <b>LASPATA</b>  <input type="radio"/> 1B	Personal Choice Selección Personal <input type="radio"/>
Members of the General Assembly Vote for Two Miembros de la Asamblea General Vote por Dos	Erik <b>SIMONSEN</b>  <input type="radio"/> 2A	Damita <b>WHITE-MORRIS</b>  <input type="radio"/> 2B	Personal Choice Selección Personal <input type="radio"/>
	Antwan <b>McCLELLAN</b>  <input type="radio"/> 3A	Eddie L. <b>BONNER</b>  <input type="radio"/> 3B	Personal Choice Selección Personal <input type="radio"/>
Sheriff Vote for One Alguacil Vote por Uno	Michael <b>DONATO</b>  <input type="radio"/> 4A	Robert A. <b>AUSTINO</b>  <input type="radio"/> 4B	Personal Choice Selección Personal <input type="radio"/>
Surrogate Vote for One Juez del Tribunal Testamentario Vote por Uno	Rudolph A. <b>LUISI</b>  <input type="radio"/> 5A	Nicasio <b>ACEVEDO</b>  <input type="radio"/> 5B	Personal Choice Selección Personal <input type="radio"/>
Board of County Commissioners Vote for Three Junta Comisionados del Condado Vote por Tres	Sandra J. <b>TAYLOR</b>  <input type="radio"/> 6A	John P. <b>CAPIZOLA, Jr.</b>  <input type="radio"/> 6B	Personal Choice Selección Personal <input type="radio"/>
	Arthur L. <b>MARCHAND, II</b>  <input type="radio"/> 7A	La Rae H. <b>SMITH</b>  <input type="radio"/> 7B	Personal Choice Selección Personal <input type="radio"/>
	James R. <b>SAURO</b>  <input type="radio"/> 8A	Joeigh <b>PERELLA</b>  <input type="radio"/> 8B	Personal Choice Selección Personal <input type="radio"/>

Form 14 - Vineland

## BOLETA DE MUESTRA

**OFFICIAL SCHOOL ELECTION BALLOT**  
**BOLETA OFICIAL DE LAS ELECCIONES ESCOLARES**

<b>OFFICE TITLE</b> TITULO OFICIAL	<b>C</b> <b>Board of Education</b> Junta de Educación	<b>PERSONAL CHOICE</b> SELECCIÓN PERSONAL
	<input type="radio"/> 1C <b>Robert G. BUONO, Jr.</b>	Personal Choice Selección Personal <input type="radio"/>
Members of the Local Board of Education Vote for Three (3) Miembros de la Junta de Educación Locales Vote por Tres (3)	<input type="radio"/> 2C <b>Wayne T. ZANNI</b>	Personal Choice Selección Personal <input type="radio"/>
	<input type="radio"/> 3C <b>Cedric P. HOLMES</b>	Personal Choice Selección Personal <input type="radio"/>
	<input type="radio"/> 4C <b>Dennis RIVERA</b>	
	<input type="radio"/> 5C <b>Erik N. ACEVEDO</b>	
	<input type="radio"/> 6C <b>Makema T. DOUGLAS</b>	
Member of the Local Board of Education Unexpired 1 Year Term - Vote for One (1) Miembro de la Junta de Educación Locales Término sin expiración 1 Año - Vote por Uno (1)	<input type="radio"/> 7C <b>Eugene MEDIO</b>	Personal Choice Selección Personal <input type="radio"/>
	<input type="radio"/> 8C <b>Donald A. CARTER, Jr.</b>	

# EXHIBIT G

**PAULA SOLLAMI COVELLO**  
Mercer County Clerk / Secretaria del Condado de Mercer

© TREDITION.COM 120



# OFFICIAL GENERAL ELECTION SAMPLE BALLOT

## BOLETA DE MUESTRA OFICIAL DE LAS ELECCIONES GENERALES

### Trenton North, Mercer County, New Jersey

**November 8, 2022**

**12th Congressional District**

#### **Front / Frente**

##### **ATTENTION VOTERS!**

- Familiarize yourselves with this ballot and instructions. It will assist you in voting, and save time on Election Day.
- This sample ballot contains important information regarding voting, including your voting district and polling location. Please feel free to bring this ballot along with you on Election Day.
- All voters who can, should vote early in the day and thus avoid possibility of congestion and inconvenience to themselves and others near the close of the polls.
- Additional voter information will be available in all polling locations.
- Ballots are two-sided. Be sure to vote both front and back.**

##### **ELECTORES ATENCIÓN!**

- Estudie esta boleta y sus instrucciones. Esto le ayudará a votar y a economizar tiempo el Día de Elecciones.
- Esta boleta de muestra contiene información importante en cuanto a la votación, incluyendo su distrito electoral y sitio de votación. Usted puede traer esta boleta el día de las elecciones.
- Los votantes deben tratar de votar temprano en el día y así evitar la conglomeration e inconveniencias que suceden a la hora de cerrar las urnas de votación.
- Información adicional para los electores estará disponible en todas las urnas electorales.
- Las Boletas tienen 2 lados. Asegúrese de votar en el frente y atrás.**

Printed on Recycled Paper.

<b>OFFICE TITLE TÍTULO OFICIAL</b>	<b>Column / Columna A Democratic Democrática</b>	<b>Column / Columna B Republican Republicano</b>	<b>Column / Columna C Nomination By Petition Nominación por Petición</b>	<b>Column / Columna D Nomination By Petition Nominación por Petición</b>	<b>PERSONAL CHOICE SELECCIÓN PERSONAL</b>
U.S. House of Representatives Cámara de Representantes de E.U. 2 Year Term - Vote for One - Término de 2 Años - Vote por Uno	Bonnie <b>WATSON COLEMAN</b> → <input type="radio"/>	Darius <b>MAYFIELD</b> → <input type="radio"/>	LIBERTARIAN PARTY <b>C. Lynn GENRICH</b> → <input type="radio"/>		WRITE-IN/POR ESCRITO → <input type="radio"/>
Board of County Commissioners Junta de Comisionados del Condado 3 Year Term - Vote for Two - Término de 3 Años - Vote por Dos	Nina D. <b>MELKER</b> → <input type="radio"/>	Michael <b>CHIANESE</b> → <input type="radio"/>			WRITE-IN/POR ESCRITO → <input type="radio"/>
	Cathleen <b>LEWIS</b> → <input type="radio"/>	Andrew <b>KOTULA, Jr.</b> → <input type="radio"/>			WRITE-IN/POR ESCRITO → <input type="radio"/>

#### **Back / Atrás**

##### **NON-PARTISAN MUNICIPAL ELECTION BALLOT**

**BOLETA OFICIAL DE MUNICIPIO NO PARTIDISTA**

**Trenton - North**

<b>OFFICE TITLE TÍTULO OFICIAL</b>	<b>Column / Columna E Cherie GARRETTE</b>	<b>PERSONAL CHOICE SELECCIÓN PERSONAL</b>
Mayor Alcalde 4 Year Term - Vote for One - Término de 4 Años - Vote por Uno	→ <input type="radio"/>	WRITE-IN/POR ESCRITO → <input type="radio"/>
	W. Reed <b>GUSCIORA</b> → <input type="radio"/>	
	FIGHTING FOR TRENTON, FIGHTING FOR TRENTONIANS Your Vote Our Voice Robin M. <b>VAUGHN</b> → <input type="radio"/>	
	Kathy <b>McBRIDE</b> → <input type="radio"/>	

<b>OFFICE TITLE TÍTULO OFICIAL</b>	<b>Column / Columna F Yazminelly GONZALEZ</b>	<b>PERSONAL CHOICE SELECCIÓN PERSONAL</b>
Council At-Large Concejales Generales 4 Year Term - Vote for Three - Término de 4 Años - Vote por Tres	It's TIME "A Voice For All" <b>EDWARDS</b> → <input type="radio"/>	WRITE-IN/POR ESCRITO → <input type="radio"/>
	CONNECTING COUNCIL TO THE COMMUNITY <b>EDWARDS</b> → <input type="radio"/>	WRITE-IN/POR ESCRITO → <input type="radio"/>
	For THE People, PARA LA GENTE <b>MANUEL</b> → <input type="radio"/>	WRITE-IN/POR ESCRITO → <input type="radio"/>
	THE EDUCATION CANDIDATE <b>BETHEA</b> → <input type="radio"/>	
	Clifton <b>ANDERSON</b> → <input type="radio"/>	
	Waldemar I. <b>RONQUILLO</b> → <input type="radio"/>	
	For, Of AND By THE PEOPLE <b>TERRY-WILSON</b> → <input type="radio"/>	
	ENVISIONING A BETTER TRENTON TOGETHER! <b>FELICIANO</b> → <input type="radio"/>	
	Crystal <b>RANALLO</b> → <input type="radio"/>	

<b>OFFICE TITLE TÍTULO OFICIAL</b>	<b>Column / Columna G Jennifer WILLIAMS</b>	<b>PERSONAL CHOICE SELECCIÓN PERSONAL</b>
North Ward Council Concejal del Barrio Norte 2 Year Term - Vote for One - Término de 2 Años - Vote por Uno	→ <input type="radio"/>	WRITE-IN/POR ESCRITO → <input type="radio"/>
	Merkle <b>CHERRY</b> → <input type="radio"/>	
	North Trenton MAKES - THE WORLD TAKES #IT'SOURTIME Algernon <b>WARD, Jr.</b> → <input type="radio"/>	
	Divine <b>ALLAH</b> → <input type="radio"/>	

#### **TRENTON MUNICIPAL QUESTION PREGUNTA MUNICIPAL DE TRENTON**

Shall the Board of Education of the City of Trenton, a Type I District appointed by the Mayor, be changed to a Type II District with its members elected by the voters, under which change the Board of School Estimate would be eliminated, that future bonding for capital projects would have to be approved by public referendum, that future bonding for capital projects would be based on the credit of the District as opposed to the City, that the size of the Board of Education would increase from seven members to nine, and the first election of members of the Board of Education would take place in April 2023.

##### **INTERPRETIVE STATEMENT**

If a majority of voters vote yes, it would change the manner by which the Trenton Board of Education is selected by having such members elected directly by the voters of the City (a Type II District) as opposed to being appointed by the Mayor (a Type I District). The Board of School Estimate would be eliminated, and future bonding for capital projects would have to be approved by public referendum and would be based upon the credit of the School District as opposed to the City. Further, the size of the Board of Education would increase from seven members to nine, and the first election of members of the Board of Education would take place in April 2023. If approved, there will also be other minor technical changes required that are not set forth herein.

¿Debería cambiarse la junta de Educación de la Ciudad de Trenton, un Distrito Tipo I designado por el Alcalde, a un Distrito Tipo II con sus miembros elegidos por los votantes, bajo cuyo cambio se eliminaría la Estimación de la Junta Escolar, que la unión futura para los proyectos capitales tendrían que ser aprobados por referéndum público, que los futuros bonos para proyectos capitales se basarían en el crédito del Distrito en lugar de la Ciudad, que el tamaño de la Junta de Educación aumentaría de siete miembros a nueve, y la primera elección de miembros de la Junta de Educación se llevaría a cabo en abril de 2023.

##### **DECLARACIÓN INTERPRETATIVA**

Si la mayoría de los votantes vota a favor, cambiaría la forma en que se selecciona la Junta de Educación de Trenton al hacer que dichos miembros sean elegidos directamente por los votantes de la ciudad (un Distrito Tipo II) en lugar de ser designados por el alcalde (un Distrito Tipo I). Se eliminaría la Estimación de la Junta Escolar y los bonos futuros para proyectos capitales tendrían que ser aprobados por referéndum público y se basarían en el crédito del Distrito Escolar en lugar de la Ciudad. Además, el tamaño de la Junta de Educación aumentaría de siete miembros a nueve, y la primera elección de miembros de la Junta de Educación se llevaría a cabo en abril de 2023. Si se aprueba, también se requerirán otros cambios técnicos menores que no son establecidos en este documento.

YES/SÍ →  NO →



# EXHIBIT H



*Paula Sollami Covello*  
**PAULA SOLLAMI COVELLO**  
 Mercer County Clerk  
 Secretaria del Condado de Mercer

**OFFICIAL RUN-OFF ELECTION MAIL-  
 BOLETA DE VOTO POR CORREO OFICIAL DE LAS ELEC-**  
**Trenton - North - Di-**  
**Mercer County, New Jersey**  
**January 24th, 2023**

OFFICE TITLE <b>TITULO OFICIAL</b>	Column / Columna
Council At-Large Concejales Generales 4 Year Term - Vota por Tres Término de 4 Años - Vota por tres	<b>A</b> Jasi <b>EDWARDS</b> → <input type="radio"/> Kadia <b>MANUEL</b> → <input type="radio"/> Yazminally <b>GONZALEZ</b> → <input type="radio"/> Crystal <b>FELICIANO</b> → <input type="radio"/> Taiwanda <b>TERRY-WILSON</b> → <input type="radio"/> Alexander <b>BETHEA</b> → <input type="radio"/>

Trenton - North - Form 01

To Protect Your Vote:  
**IT IS AGAINST THE LAW FOR ANYONE  
 EXCEPT YOU THE VOTER TO MARK  
 OR INSPECT THIS BALLOT.**  
 However, a family member may assist  
 you in doing so.

Para proteger su voto:  
**ES ILLEGAL QUE OTRA PERSONA  
 EXCEPTO USTED EL ELECTOR MARQUE  
 O INSPECCIONE ESTA BOLETA.**  
 Sin embargo, un familiar puede ayudarle  
 a hacerlo.

**IMPORTANT INSTRUCTIONS TO VOTERS**

Please read the following before marking your ballot:

1. Use ONLY a black or blue pen to mark your ballot. DO NOT use red ink.
2. Completely fill in the oval for front of your selection.

MARK BALLOT LIKE THIS

**JOHN DOE** →

**INSTRUCCIONES**

Favor de leer los siguientes consejos  
 para proteger su voto:  
**1. Solo USTED PUEDE MARCAR  
 SU VOTO. NO DEBE SER NINGUNA  
 OTRA PERSONA.**

**2. Utilice un bolígrafo negro o azul  
 para marcar su voto. NO USE  
 TINTA ROJA.**

**MARQUE LA BOLETA DE  
 JOHN DOE →**

# EXHIBIT I

**FILED**

APR 22 2019

**MARK P. CIARROCCA  
P.J.Cv.**

**LAW OFFICES OF JILL ANNE LAZARE, LLC**

Jill Anne LaZare, Esq. (019662001)

Brett M. Pugach, Esq., (032572011)

55 Union Place, Suite 330

Summit, New Jersey 07901

Telephone (908) 219-4366

Fax (908) 219-4362

Attorneys for Plaintiffs Christine Dansereau and Denise Wilkerson

CHRISTINE DANSEREAU AND DENISE  
WILKERSON,

Plaintiffs,

v.

LYDIA D. MASSEY, in her capacity as Acting  
Municipal Clerk of the Borough of Roselle, AND  
JOANNE RAJOPPI, in her capacity as Clerk of  
Union County,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY

DOCKET NO. UNN-L-1349-19

CIVIL ACTION

**ORDER ON ORDER TO SHOW  
CAUSE**

THIS MATTER having been opened to the Court, the Honorable Mark P. Ciarrocca,  
P.J.Cv., presiding, upon application for an Order to Show Cause by the Law Offices of Jill Anne  
LaZare, LLC, (Jill LaZare, Esq., appearing) attorneys for Plaintiffs, Christine Dansereau and Denise  
Wilkerson, on notice to Kraig Dowd, Esq., attorneys for defendants, Lydia Massey and Joanne  
Rajoppi, and the Court having read and considered the papers submitted, and the oral argument of  
counsel in support of and in opposition to the relief requested, and good cause having been shown;

IT IS on this 22<sup>nd</sup> day of April, 2019,

**ORDERED as follows:**

1. Defendant Lydia Massey is hereby enjoined and restrained from certifying names of candidates for the ballot for the June 4, 2019 Democratic Primary Election and Defendant Joanne Rajoppi is hereby enjoined and restrained from conducting the ballot placement drawing, printing any such ballots, and taking any other actions that would be difficult, expensive, or impossible to reverse, if plaintiffs are successful on the merits of their claim, for the June 4, 2019 Primary Election until the resolution of the claims on the issues raised in the Verified Complaint.
2. In the alternative, Defendant Lydia Massey shall immediately certify the names of the candidates, Christine Dansereau for Mayor and Denise Wilkerson for Council-at-Large for the Borough of Roselle for the June 4, 2019 Democratic Primary Election.
3. A copy of this order shall be served upon all interested parties within 7 days of the date hereof.



HON. HON. MARK P. CIARROCCA, P.J.Cv.

For the reasons set forth by the  
Court on the record on

4/22/19

# EXHIBIT J

**JARDIM, MEISNER & SUSER, P.C.**

Scott D. Salmon, Esq. (152162015)  
30B Vreeland Road, Suite 100  
Florham Park, NJ 07932  
T: (973) 845-7640  
*Attorneys for Plaintiff*

**Hytham Younes,**

Plaintiff,

v.

**Aslon Goow and Sonia L. Gordon,  
in her official capacity as the City Clerk  
for the City of Paterson,**

Defendants.

Superior Court of New Jersey  
Law Division, County of Passaic

Docket No: PAS-L-780 -22

**Order to Show Cause with  
Temporary Restraints**

**THIS MATTER**, being brought before this Court by Plaintiff, Hytham Younes (“Plaintiff”), by and through his counsel, Jardim, Meisner & Susser, P.C. (Scott D. Salmon, Esq., appearing), seeking relief by way of Order to Show Cause with Temporary Restraints, based upon the facts set forth in the letter brief with accompanying Verified Complaint and exhibits filed herewith;

**IT IS** on this 29 day of March, 2022;

**ORDERED** that Defendants appear and show cause before the undersigned Judge of the Superior Court of New Jersey, Law Division, in Paterson, New Jersey, or by telephone or video conference to be set by the Court at 2:00~~xxx~~.p.m. or as soon thereafter as counsel can be heard, on the 1st day of April, 2022, why an Order should not be issued temporarily and preliminarily enjoining and ordering the following relief:

- (1) Issuing an Order in Lieu of Prerogative Writ directing Defendant, Sonia L. Gordon, to remove Defendant, Aslon Goow, from the list of certified candidates for the May 10, 2022, nonpartisan municipal election for the office of Mayor of Paterson; and

(2) Adjudging and declaring that Defendant Goow is prohibited from running for Mayor of Paterson in the nonpartisan municipal election scheduled to occur on May 10, 2022.

**IT IS FURTHER ORDERED** that, pending the return date of this Order to Show Cause as set forth above, Defendants are temporarily enjoined from preparing, printing, or disseminating any provisional, sample, electronic, or other forms of ballot, or mailing the mail-in ballots for the May 10, 2022, nonpartisan municipal election for the office of Mayor of Paterson; and

**IT IS FURTHER ORDERED** that all deadlines, whether statutory or informal, related to submission of slogans and bracketing, the drawing of ballot position, and the printing/mailing of ballots, for the June 10, 2022 primary election for the Democratic Party in New Jersey's Third Congressional District, be and is hereby suspended pending further Order of this Court; and

**IT IS FURTHER ORDERED** that:

(1) Defendants may move to dissolve or modify the temporary restraints contained herein on two (2) days' notice to Plaintiff's counsel;

(2) This Order to Show Cause, Verified Complaint, Letter Brief, and Exhibits submitted in support of this application, or a copy thereof, be served upon Defendants electronically and/or via hand-delivery, in accordance with Rule 4:4-3 and Rule 4:4-4, this being original process;

(3) Plaintiffs must file with the Court its proof of service of the pleadings on the Defendants no later than the return date.

(4) Defendants shall file and serve a written response to this Order to Show Cause and the Request for Entry of Injunctive Relief and Proof of Service by tbd, 2022. The original documents must be filed with the Clerk of the Superior Court in the county listed above. Defendants must send a copy of any Opposition Papers directly to Judge Brogan, whose

address is the 77 Hamilton Street, Paterson, NJ 07505. Defendants must also send a copy of their Opposition Papers to the Plaintiff's attorney whose name and address appears above.

~~xxxxxxxxxxxxxxThe Plaintiff must file and serve any reply papers on the Defendant's Opposition Papers by the return date. The Reply Papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge ██████████.~~

(6) If the Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the Plaintiff files a Proof of Service and a proposed form of Order at least 2 days prior to the return date.

(7) If the Plaintiff has not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

(8) Defendant, take notice that the Plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The Verified Complaint attached to this Order to Show Cause states the basis of the lawsuit. If you dispute this Complaint, you, or your attorney, must file a written answer to the Verified Complaint and Proof of Service before the return date of the Order to Show Cause. These documents must be filed with the Clerk the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above as well as online at the website, [http://judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf). Include a \$175.00 filing fee payable to the "Treasurer of the State of New Jersey." You must also send a copy of your Answer to the Plaintiffs' attorney, whose name and address appears above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee), or

judgment may be entered against you by default. Please note: Opposition to the Order to Show Cause is not an Answer and you must file both.

(9) If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at the website [http://judiciary.state.nj.us/prose/10153\\_deptyclawref.pdf](http://judiciary.state.nj.us/prose/10153_deptyclawref.pdf).

(10) The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause unless the Court and parties are advised to the contrary no later than 1 days before the return date.

/S/ Thomas F. Brogan

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**Thomas F. Brogan, P. J. Cv.** <sup>J.S.C.</sup>

The return date of 4/4/22 @ 200 pm will be used to schedule deadlines for defendant's opposition and plaintiff's reply. Dates for fact finding hearings will also be scheduled. If anyone fails to appear they will have no say in the scheduling of events in this matter. The restraints have been agreed to by counsel for defendant Gordon in her capacity as the Municipal Clerk

# EXHIBIT K

**FILED**  
**APRIL 19, 2022**  
**HON. MICHAEL A. TOTO, A.J.S.C.**

**Hon. Michael A. Toto, A.J.S.C.**  
Middlesex County Superior Court  
56 Paterson Street  
PO Box 964  
New Brunswick, NJ 08903-0964  
(732) 645-4300

ATIF NAZIR, HERBERT L. TARBOUS,	:	SUPERIOR COURT OF NEW JERSEY
RALPH JOHNSON, STACI A. BERGER,	:	LAW DIVISION
JONATHAN V. POWERS,	:	MIDDLESEX COUNTY
	:	DOCKET NO. MID-L-1863-22
Plaintiffs,	:	
vs.	:	<u>Civil Action</u>
NANCY J. PINKIN, in her capacity as Clerk of	:	<b><i>ORDER AND MEMORANDUM</i></b>
the County of Middlesex,	:	
Defendants.	:	
	:	

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**THIS MATTER** being brought before the Court seeking relief by way of Order to Show Cause, based upon the facts set forth in the Verified Complaint filed herewith; and notice of this application having been provided to the Defendant, Nancy J. Pinkin, in her capacity as Clerk of the County of Middlesex County (“Defendant”), and the First Deputy Middlesex County Counsel Niki Athanasopoulos, Esq., electronically upon consent due to the expedited nature of this matter:

**IT IS ON THIS 19<sup>TH</sup> DAY OF APRIL 2022, ORDERED AS FOLLOWS:**

1. Defendant shall immediately conduct a drawing for ballot positions for primary election candidates on April 19, 2022, such that Plaintiffs are eligible for preferential ballot draw and for equal opportunity to secure Column A; and, such that (i) all candidates who qualify for preferential ballot draw through the submission of joint petitions will receive same, and (ii) that the ballot draw and resulting ballot be conducted so as not to distinguish between the election for candidates for County Commissioner who have filed a joint petition; and
  
2. The County Clerk shall draw, prepare and design ballots with respect to the June 7, 2022 Primary Elections in Middlesex County consistent with the results of the Provisional Drawing ordered and conducted pursuant to Paragraph B above; and

3. Service of this Order shall be deemed effectuated on all parties upon its upload to e-courts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven days of the date of this Order.



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**Michael A. Toto, A.J.S.C.**

**STATEMENT OF REASONS**

[R. 1:6-2(f)]

**Atif Nazir et al. v. Nancy Pinkin**  
**MID-L-1863-22**

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**FACTUAL BACKGROUND**

Plaintiffs Atif Nazir, Herbert L. Tarbous, Ralph Johnson, Staci A. Berger, and Jonathan V. Powers are all affiliated under the platform “Democrats for Transparency and Fairness.” Nazir and Tarbous are candidates for Middlesex County Commissioner and Johnson, Berger, and Powers, as well as non-party Carmen Salavarrieta, are candidates for Piscataway Council. Pursuant to N.J.S.A. 19:49-2, Plaintiffs filed their joint petitions for candidacy. As discussed below, N.J.S.A. 19:49-2 allows candidates who file a joint petition for candidacy with the county clerk to be grouped together on the same line of the voting machine.

On April 8, 2022, the County Clerk, Defendant Nancy Pinkin, indicated to Plaintiffs that they were not eligible for “joint petition” designation because “[w]hat was submitted is not a joint petition as defined and contemplated in N.J.S.A. 19:49-2 as the ‘petition’ submitted only has identified candidate for two (2) of the four (4) County offices that will appear on this year’s ballot.” Pff. Ex. D. Defendant also stated in the letter, “Notwithstanding, your request to group the candidates listed in your letter together on the ballot will be honored.” Id.

If Plaintiffs had been recognized as a joint petition, they would have been eligible for the preferential ballot draw that would have allowed them the opportunity to be listed in Column A on the June 2022 primary ballot. On April 12, 2022, Defendant notified Plaintiff’s counsel that per Defendant’s discretion, the candidates would be placed in Column B of the ballot. The preferential ballot draw was supposed to take place on April 14, 2022 at 3 p.m. However, on April 14, 2022, Plaintiffs were notified that the preferential ballot draw was cancelled based on the certifications of candidates.

In terms of timeline, April 14, 2022 was when the County Clerk was supposed to draw for ballot positions for the primary. April 16 is the deadline for filing a Superior Court to protect a primary candidate’s rights, pursuant to N.J.S.A. 19:13-12. Monday, April 18 is the deadline for preparation of the official primary election ballot for printing, according to N.J.S.A. 19:14-1. Mailing of the mail-in ballots for the Primary election starts on April 23, 2022. June 7, 2022 is the Primary election day.

**PLAINTIFFS’ REQUESTED RELIEF**

Plaintiffs are asking this Court to issue an order enjoining and restraining Defendant from:

- A. Conducting a drawing for ballot positions for primary election candidates such that Plaintiffs are eligible for preferential ballot draw and for an equal opportunity to secure

Column A, and similarly that their request for bracketing on a single line continue to be honored in connection to the ballot design in compliance with the right of equal protection under the Federal and State Constitutions and the NJ Civil Rights Act, and with Title 19's mandates for ballot design, ballot draw, bracketing, printing, and mailing such that all candidates who qualify for preferential ballot draw through the submission of joint petitions will receive same, and such that the ballot draw and resulting ballot be conducted so as not to distinguish between the election for candidates for County Commissioner who have filed a joint petition.

- B. Drawing, preparing, printing, or disseminating any provisional, emergency, sample, vote-by-mail, overseas, military, machine, paper, electronic, and/or any other form of ballot in connection with the June 7, 2022 Primary Elections in Middlesex County until the issues raised in the Verified Complaint in this matter are fully adjudicated;
- C. Drawing and designing the ballots in such a manner as described in the Verified Complaint, or similar to the same.

Plaintiff further seeks an order for the following relief:

- A. An expedited briefing schedule to ensure that the issues raised in the Verified Complaint in this matter are resolved prior to important election deadlines set forth in Title 19;
- B. Compelling the County Clerk to draw, prepare, and design ballots with respect to the June 7, 2022 Primary Elections in Middlesex County that allow equal treatment for similarly situated County Commissioner candidates who have submitted a joint petition, and coextensively, the candidates who affiliate with same.
- C. Granting such other relief as the court deems equitable and just.

### **PLAINTIFFS' ARGUMENT**

Plaintiffs argue that Defendant's actions violate N.J.S.A. 19:42-2. Plaintiffs assert that Defendant is incorrectly interpreting "joint petition" to mean petitions for all open county offices, whereas Plaintiffs argue it simply means two or more candidates. Plaintiffs point to the New Jersey Election Law Enforcement Commission's Compliance Manual for Candidates as well as the filing instructions Defendant sent candidates on March 1, 2022, both of which define "joint petition" as "two or more candidates" and "more than one candidate," respectively.

### **DEFENDANT'S ARGUMENT**

In their opposition and in oral arguments, Defendant argues that she exercised appropriate discretion in the manner and conduct for the 2022 primary election. Defendant argues that the mention of "joint petition" in N.J.S.A. 19:49-2 implies a full slate of candidates, not merely two or more. Defendant alleges that Plaintiffs have failed to establish an abuse of discretion in applying

that interpretation. Defendant cites to Irwin v. Flynn, a similar case heard in Middlesex in 2017 with no written decision. Defendant further claims that she did not violate any Constitutional or Statutory rights conferred upon Plaintiffs, and that Plaintiffs are barred from relief by the doctrine of laches.

## ANALYSIS

While Plaintiffs initially sought an Order to Show Cause with temporary restraints pending a return date of the matter, this Court understands the emergent nature of this case and, both parties having the opportunity to submit papers and be heard in oral argument, takes this opportunity to make a final judgment on the merits.

This case boils down to the definition of “joint” as used in reference to joint petitions for candidates under the same designation or slogan on voting machine ballots, and whether Plaintiff’s partially bracketed group qualifies as a joint position entitling them to a drawing for ballot positions. The statute at issue states the following:

For the primary election for the general election in all counties where voting machines are or shall be used, all candidates who shall file a joint petition with the county clerk of their respective county and who shall choose the same designation or slogan shall be drawn for position on the ballot as a unit and shall have their names placed on the same line of the voting machine; and provided further, that all candidates for municipal or party office in municipalities in counties where voting machines are or shall be used who shall file a petition with the clerk of their municipality bearing the same designation or slogan as that of the candidates filing a joint petition with the county clerk as aforesaid, may request that his or her name be placed on the same line of the voting machine with the candidates who have filed a joint petition with the county clerk as aforesaid[.]

N.J.S.A. 19:49-2. The statute itself does not mention a definition of “joint petition” nor does it describe what exactly a joint petition should entail. The parties differ over how to interpret “joint” given this ambiguity. Plaintiffs contend that the plain meaning of the statute along with a common-sense interpretation of “joint” fares in their favor. Plaintiffs also point to primary materials and instructions surrounding the statute that refer to joint petitions as being more than one candidate. Defendants allege that the definition of “joint” here falls within Defendant’s discretion, and she has not abused that discretion. This Court looks at each of these authorities in turn.

### 1. Definition of Joint

In interpreting the legislative intent behind a statute, a court’s consideration “begins with the plain language of the statute, [. . .] ‘seeking further guidance only to the extent that the Legislature’s intent cannot be derived from the words that it has chosen.’” Jersey Cent. Power & Light Co. v. Melcar Utility Co., 212 N.J. 576, 587 (2013) (citing N.J. Div. of Youth & Family Servs. v. T.B., 207 N.J. 294, 302 (2011); quoting Pizzullo v. N.J. Mfrs. Ins. Co., 196 N.J. 251, 264 (2008)). The plain words of a statute “deserve to be given ‘their ordinary meaning and significance,’

and a court may not ‘presume that the Legislature intended something other than that expressed by way of the plain language.’” Jersey Cent. Power & Light Co., 212 N.J. at 587 (quoting DiProspero v. Penn, 183 N.J. 477, 492 (2005), O'Connell v. State, 171 N.J. 484, 488 (2002)).

Nowhere in N.J.S.A. 19:49-2 does the legislature define “joint petition” as meaning a full slate of candidates. On the contrary, a plain understanding of “joint” would presume “more than one.” Further, it would make sense that “joint” as used in this context does not mean a full slate of candidates unless explicitly defined as such. Further, the New Jersey Election Law Enforcement Commission’s Compliance Manual for Candidates repeatedly defines a “joint petition” as being “made up of two or more candidates in the same election running for the same office.” Compliance Manual for Candidates, ELEC (Jan. 2021), available at: [https://www.elec.state.nj.us/pdffiles/forms/compliance/man\\_cf.pdf](https://www.elec.state.nj.us/pdffiles/forms/compliance/man_cf.pdf). Similarly, Defendant’s own instructions sent to Plaintiffs on March 1, 2022 states that “[m]ore than one candidate can appear on the same petition if they are seeking nomination to the same office. For a joint petition, place the names in the order they are to appear on the ballot.” Pff. Ex. B.

Based on the plain meaning of the statute and accompanying materials, Plaintiffs are correct in their interpretation of “joint” here. However, this Court must also take into account the discretion allowed to Defendant in making these decisions.

## **2. County Clerk’s Discretion**

Even though the Defendant is incorrect as to her interpretation of “joint,” she retains discretion as to the ballot draw and the placement of names on the ballots. See N.J.S.A. 19:49-2. For example, “ballot position resulting from the clerk’s adoption of certain conventions and selection of a drawing process that the clerk perceives to achieve the fairness and integrity of the voting process will not be disturbed in the absence of clear violation of applicable statutes or unreasonable exercise of discretion.” Schundler v. Donovan, 377 N.J. Super. 339, 345 (App. Div. 2005). Specifically, the Court should not “substitute its judgment for that of the clerk merely because it perceives that another arrangement might have been chosen, or even that the court prefers another.” Id. Further, the “usual rule applicable to the construction of election laws” directs that “the absence of such legislative directions results in the leaving of the decisions as to those matters to the reasonable discretion of the county clerk. Quaremba v. Allan, 67 N.J. 1, 8 (1975) (citing Richardson v. Caputo, 46 N.J. 3 (1965); Perry v. Giuliano, 46 N.J. Super. 550, 556 (App. Div. 1957)).

This Court follows in the footsteps of other courts in rejecting the idea that Plaintiffs would be prejudiced by being in Column B as opposed to Column A. See N.J. Conservative Party v. Farmer, 332 N.J. Super. 278, 288 (Law Div. 1999) (“[T]he meaningful votes of the electorate are not impacted by the Legislature’s regulations concerning the creation of ballots.”). There is no mandate that the ballot draw be held, and such a decision is left to the discretion of Defendant. Absent a showing of empirical evidence that a County Clerk infringes on candidates’ Constitutional rights in not holding a draw, her decision not to hold the draw is completely within her statutory discretion, even when—as here—there are multiple joint petitions vying for Column

A. Being listed in Column B is not per se a detriment that rises to the level of a Constitutional violation.

That being said, however, a consideration of the equities here favors a different conclusion. Defendant planned on having a draw on April 14, 2022. Plaintiffs relied on that representation to their detriment. While the draw was slated to take place at 3:00 P.M., Defendant sent an announcement cancelling the draw at 11:22 A.M. Defendant claims the reason for cancelling the draw was because there was not more than one joint petition vying for Column A, so a drawing as to ballot position was not necessary. However, based on the above analysis, that reasoning was based on an incorrect definition of joint petition. If Defendant had never represented to Plaintiffs that there would be a ballot draw, she would have been completely within her discretion and Plaintiffs would not be entitled to one here. But for Defendant's incorrect interpretation of "joint," Defendant would have held the draw and Plaintiffs would have had an equal chance as being listed in Column A. The reason for not conducting the draw was not a legal sustainable theory. A balancing of the interests here favors protecting the integrity of the election process, and commands a drawing for ballot position.

### **3. Conclusion**

Accordingly, this Court **GRANTS** Plaintiffs' request to compel Defendant to conduct the ballot position draw including Plaintiffs as a joint petition and all others similarly situated as to this primary ballot only.

# EXHIBIT L

APR 15 2019

**PREPARED BY THE COURT**

SUPERIOR COURT OF NJ  
MERCER VICINAGE  
CIVIL DIVISION

CENTRAL JERSEY PROGRESSIVE  
DEMOCRATS, EM PHIPPS, DOREEN  
BAILEY, MARGARET D. BALL, STACI  
BERGER, QUIYANA BUTLER, REMI  
CHRISTOFFERSON, LAURA JILL  
LEIBOWITZ, ROSHANNA MALONE,  
KAMUELA N. TILLMAN,

Plaintiffs,

v.

ELAINE M. FLYNN, in her capacity as Clerk of  
the County of Middlesex, MIDDLESEX  
COUNTY BOARD OF ELECTIONS, and  
TAHESHA WAY as an interested party in her  
capacity as Secretary of State,

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MERCER COUNTY

DOCKET NO.: L-732-19

Civil Action

**ORDER GRANTING TEMPORARY  
RESTRAINTS**

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**THIS MATTER** having been opened to the court by way of an Order to Show Cause and Verified Complaint filed by Yael Bromberg, Esq., counsel for Plaintiffs, seeking temporary restraints concerning the ballot design process for county committee members under N.J.S.A. 19:5-3 for the June 4, 2019, Democratic Primary Election in Middlesex County; and Plaintiffs having claimed that a temporary restraint against the County Clerk is necessary to prevent her from designing a ballot that violates the constitutional rights of Plaintiffs to equal protection of the law and freedom of association pertaining to the ballots in one district in New Brunswick and four districts in Piscataway; and Plaintiffs seeking a design that eliminates all gender designations for the election of committee members on the ballots for those five districts; and Niki Athanasopoulos, Esq., counsel for Elaine Flynn, having filed letter briefs in opposition to Plaintiffs' Verified Complaint and Order to Show Cause Seeking Temporary Restraints on April 11 and April 15, 2019; and having provided two certifications on April 15, 2019, asserting that temporary restraints would impair the procedure of preparing mail-in ballots within the statutory timeframe; and Deputy Attorney General Susan Scott having provided support for the constitutional arguments of Plaintiffs on behalf of Defendants Secretary of State and Middlesex County Board of Elections; and the Court having reviewed the submissions of the parties and having heard oral argument regarding the application for temporary restraints; and for the reasons set forth on the record, and for good cause shown:

**IT IS** on this 15th day of April, 2019 hereby **ORDERED that:**

1. Plaintiffs' request for temporary relief is **GRANTED**.
2. Defendant, Middlesex County Clerk, shall design the ballots for the Democratic primary election on June 4, 2019, in the five districts identified in the Verified Complaint in which the Plaintiffs have qualified as candidates for Democratic County committee

members without regard to gender, and allowing two candidates of the same gender to run under the slogan “Central Jersey Progressive Democrats.”

3. Defendants may utilize the 2018 Mercer County Democratic Party Ballot provided in Plaintiffs’ complaint at Exhibit C as a model that would conform to the court’s ruling.
4. Plaintiffs shall immediately notify the Democratic organizations that have filed joint petitions including candidates for Democratic County committee members in the five districts affected by this order and all of the other candidates for Democratic County committee members in those districts by sending them copies of the Verified Complaint and copies of this order.
5. Counsel for the County Clerk shall provide copies of the Verified Complaint and copies of this order to the Municipal Clerks in New Brunswick and Piscataway and seek their cooperation for any additional information needed by the County Clerk from the Municipal Clerks to effectuate this order.
6. In light of the relief required by this order and the logistical concerns raised by the Middlesex County Clerk regarding the preparation of the mail-in ballots, the court hereby relaxes the date for preparation of mail-in ballots for the five affected districts to May 1, 2019.

*Mary C. Jacobson, A.J.S.C.*  
Hon. Mary C. Jacobson, A.J.S.C.